

1 BEFORE THE
2 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
3

4 IN THE MATTER OF:

5 HENRY & LOUISE ARKLIN, ARKLIN
6 FAMILY TRUST, PROPERTY OWNER

7 AND

8 MANUEL MADRIGAL,
9 LUNAS CONSTRUCTION CLEANUP,
10 INC., AKA: LUNAS WASTE TIRE
11 RECOVERY, INC., OPERATORS

12 TPID NO: 1643666

13 ASSESSOR PARCEL NO: 2827-051-014
14

} Cleanup and Abatement

} Order: No. 2012-011009-CAO

} Public Resources Code section 42845

15 TO: HENRY & LOUISE ARKLIN, ARKLIN FAMILY TRUST, PROPERTY OWNER AND
16 MANUEL MADRIGAL, LUNAS CONSTRUCTION CLEANUP, INC., AKA: LUNAS WASTE
17 TIRE RECOVERY, INC, (LUNAS CONSTRUCTION CLEANUP, INC.) OPERATORS:

18 **PLEASE TAKE NOTICE THAT:**

19 You are the Operator of a Waste Tire Facility (WTF) known as LUNAS
20 CONSTRUCTION CLEANUP, INC, AKA: LUNAS WASTE TIRE RECOVERY, INC. or Owner
21 of property located at 23802 Pine Street, Lot # 2, Newhall, CA, 91321, Assessor Parcel
22 Number (2827-051-014) (this site), upon which LUNAS CONSTRUCTION CLEANUP, INC. is
23 located, as those terms are defined in Public Resources Code (PRC) sections 42804, 42805
24 and 42808 (Property Profile for this site is attached hereto and incorporated herein by
25 reference as Appendix A-1);

26 The California Integrated Waste Management Board (CIWMB) which is now the
27 Department of Resources Recycling and Recovery (CalRecycle) has authority to act as the
28 enforcement agency for Waste Tire Facilities (WTF), pursuant to PRC section 42800 et seq.,

1 and is the enforcement agency for this waste tire site. CalRecycle succeeded to CIWMB's
2 authority on January 1, 2010, pursuant to PRC section 40401;

3
4 This site meets the definition of a minor WTF as that term is defined by PRC section 42808(c);

5 You are currently in violation of California Waste Tire Laws as prescribed by PRC
6 section 42800 et seq.;

7 CalRecycle inspected this site on May 31, 2011 and determined that 500 or more waste
8 tires were being stored on site;

9 CalRecycle issued a Notice of Violation to you as the Property Owner/Operator on
10 May 31, 2011 as documented in Inspection Report I1-1168835, which is attached hereto and
11 incorporated herein by reference as Appendix A-2, requiring the tires to be removed by
12 June 31, 2011;

13 CalRecycle inspected this site on August 10, 2011 as documented in Inspection Report
14 I1-1134771, which is attached hereto and incorporated by reference as Appendix A-2 and
15 determined that 500 or more waste tires remained on site;

16 The Los Angeles County Waste Tire Grantee inspected this site on January 19, 2012 as
17 documented in Inspection Report I1-1228569, which is attached hereto and incorporated by
18 reference as Appendix A-2 and determined that 500 or more waste tires remained on site;

19 To date, you have not acquired a WTF permit for this site;

20 You are in violation of PRC section 42834 for accepting and storing 500 or more waste
21 tires on this site without obtaining a "Minor Waste Tire Facility Permit";

22 You are in violation of Title 14 of the California Code of Regulations (CCR), section
23 18420(a), which requires every Operator of a major or minor WTF that stores, stockpiles,
24 accumulates or discards waste tires to acquire a Permit;

25 You are in violation of Title 14 of the CCR, section 18423, which requires every
26 Operator of a major or minor WTF to submit a completed Permit application;

27 Since this site meets the definition of a "Waste Tire Facility" as set out in PRC section
28 42808, this site is also subject to the same safety and security measures to which a legally

1 permitted facility is subject. These requirements are set forth in Title 14 of the CCR,
2 Division 7, Chapter 3, Article 5.5, attached hereto and incorporated herein by reference as
3 "Appendix B";

4 CalRecycle has the authority to order WTF Operators who are in violation of the
5 aforementioned law to clean up waste tire piles, abate the effects thereof, or otherwise remedy
6 a case of threatened pollution or nuisance, pursuant to PRC section 42845(a);

7 Where there is no identified "Operator", the Operator shall mean the Owner, pursuant to
8 Title 14 of the CCR, section 17225.755;

9 CalRecycle has the authority to seek administrative penalties of not less than five
10 hundred dollars (\$500) and up to ten thousand dollars (\$10,000) for each violation of a
11 separate provision or, for continuing violations, for each day that the violation continues,
12 against any person who violates any provision of this Chapter, or any permit, rule, regulation,
13 standard or requirement issued or adopted pursuant to this Chapter as provided in PRC
14 sections 42850 and 42850.1.

15 **THEREFORE, PURSUANT TO PRC SECTION 42845, YOU ARE ORDERED TO:**

- 16 1. Reduce and maintain the number of waste tires onsite to 499 or less, in
17 accordance with the following:
18 a. Remove all waste tires in excess of 499 from the premises within 15 days from
19 the date of service of this Cleanup and Abatement Order (CAO), in accordance
20 with the following waste tire removal schedule:

21
22 i. **Waste Tire Removal Schedule**

- 23 1. Waste tires shall be removed from the premises. CalRecycle must
24 approve the destinations of the tires to ensure that a registered waste
25 tire hauler legally transports them to an approved facility.
26 ii. All waste tires (whole and/or passenger tire equivalents, pursuant to Title 14
27 of the CCR, section 17225.770) shall be removed by a registered waste tire
28 hauler, as prescribed by PRC section 42950 et seq., within 15 days from the

1 date of service of this CAO. A completed Comprehensive Trip Log (CTL),
2 CalRecycle 203, manifest form must accompany each load and a copy of
3 each completed CTL form must be submitted to CalRecycle within 30 days
4 from the date of service of this CAO. Failure to comply with this provision
5 may result in penalties, pursuant to PRC sections 42961.5 and 42962.

6 b. At no time may you accept additional waste tires at this site unless there are less
7 than 499 onsite and the acceptance of additional waste tires will not result in more than
8 499 waste tire being onsite.

9
10 **PLEASE TAKE FURTHER NOTICE THAT PURSUANT TO PRC SECTIONS 42845, 42850**
11 **and 42850.1:**

12 If you do not complete or comply with the above actions by the specified dates,
13 CalRecycle may petition the superior court for injunctive relief to enforce this CAO and for civil
14 penalties in the amount of not less than \$500 and up to \$10,000 for each violation of a
15 separate provision or, for continuing violations, for each day the violation continues, pursuant
16 to PRC sections 42845, 42850 and 42850.1. Civil penalties may be imposed in a civil action or
17 may be imposed administratively, pursuant to PRC section 42850 et seq.;

18 If a decision is made in favor of CalRecycle in an administrative or civil hearing in
19 accordance with PRC section 42850 et seq., CalRecycle or its contractors may subsequently
20 enter your property for the purposes of abatement or remediation without your consent,
21 pursuant to PRC section 42846.5;

22 You have ten (10) days from the date of service of this order to file a petition with
23 CalRecycle raising any substantial issues that are appropriate for review. CalRecycle will
24 review the petition and respond within thirty (30) days from the date of receipt by CalRecycle.
25 Regardless of whether you file a petition, you must complete the above actions ordered
26 pursuant to PRC section 42845;

1 If you fail to remove all of the waste tires by the required date, CalRecycle is authorized
2 to expend available funds to perform any necessary cleanup, abatement or remedial work, as
3 set forth in PRC section 42845 et seq.;

4 If CalRecycle expends funds to perform any cleanup, abatement or remedial work,
5 CalRecycle may seek cost reimbursement from you and any other responsible party acting as
6 the Operator or Property Owner, pursuant to PRC section 42847;

7 Moreover, funds so expended by CalRecycle constitute a lien upon the real property
8 owned by any responsible party that is subject to the remedial action, pursuant to PRC section
9 42847.5.

10 Nothing in this CAO shall constitute or be construed as a satisfaction or release from
11 liability for any conditions or claims arising as a result of yours or any other responsible party's
12 past, current or future operations acting as the Operator or Property Owner. Notwithstanding
13 compliance with the terms of this CAO, you may be required to take further actions as are
14 necessary to protect public health or welfare or the environment.

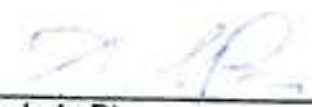
15 CalRecycle shall not be liable for injuries or damages to persons or property resulting
16 from acts or omissions by you or any other responsible party acting as the Operator or
17 Property Owner, or related parties in carrying out activities pursuant to this CAO; nor shall
18 CalRecycle be held as a party to any contract entered into by you or any other responsible
19 party acting as Operator or Property Owner or their agent(s) in carrying out activities pursuant
20 to this CAO.

1 This CAO does not relieve you or any other responsible party acting as the Operator or
2 Property Owner from complying with all other local, state and federal requirements.

3 This CAO may only be amended in writing by an authorized CalRecycle representative.

4 If you have any questions about this CAO, you may contact Stephen P. Dolan of my
5 staff at (951) 782-3221.

6
7 Dated this ____ day of March 2012

8
9
10 
11 Mark de Bie
12 Deputy Director
13 Waste Permitting, Compliance &
14 Mitigation Division
15 Department of Resources
16 Recycling and Recovery
17
18
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25
26
27
28

APPENDIX A-1

PROPERTY PROFILE

23802 Pine Street Property Report

Wednesday, March 07, 2012

9:38 AM

Property Report

Date: 03/07/12

Reference Code: Lunas

PROPERTY ASSESSMENT RECORDS (Assessment 1 of 1)

Name Owner 1:	ARKLIN HENRY & LOUISE
Name Owner 2:	ARKLIN FAMILY
Property Address:	
Owner Address:	<u>28000 SPRINGBROOK AVE STE 215, SANTA CLARITA, CA 91350-3371</u>
County:	LOS ANGELES
Data Source:	A

TAX AND ASSESSMENT INFORMATION

Parcel Number:	<u>2827-051-014</u>
Document Number:	
Legal Description:	P M 328-58-76 FOR DESC SEE ASSESSOR'S MAPS POR OF LOT 2
Subdivision Name:	
Land Usage:	RESIDENTIAL ACREAGE
Market Land Value:	
Market Improvement Value:	
Total Market Value:	
Homestead Exemption:	

PROPERTY CHARACTERISTICS

Year Built:	
Land Size:	123,360 Square Feet
Living Size:	
Number Bedrooms:	
Number Full Baths:	
Number Half Baths:	
Number of Stories:	
Acres:	2.832 AC

Inserted from <<https://secure.accuaint.com/app/aps/report>>

Property Detail

Los Angeles, CA RICK AUERBACH, ASSESSOR

Parcel # (APN): **2827-051-014**

Use Description: **VACANT**

Parcel Status:

Owner Name: **ARKLIN HENRY & LOUISE
ARKLIN FAMILY TRUST**

Mailing Address: **26000 SPRINGBROOK AVE #215 SAUGUS CA 91350**

Situs Address:

Legal

Description: **P M 328-56-76 FOR DESC SEE ASSESSOR'S MA**

APPENDIX A-2

INSPECTION REPORT AND PHOTOS



Waste Tire Survey & Inspection Report

Inspection Form - Page 2

11166859831

SURVEY REQUIRED

Part C - Facility Information

BLUE OR BLACK INK PEN

Business Profile		Inspection Details	
TPID - Site Suffix:	1 6 4 3 6 6 6 - 0 1	Inspection Report Number:	I 1 - 1 1 6 8 8 3 5
SWRS Number:		Inspection Number on the associated Survey form (Page 1)	
		Photos Taken <input checked="" type="radio"/> Yes <input type="radio"/> No	

Property Owner

Name	Unknown	Phone Number	1 6 1 2 2 1 5	Mailing Address		City	State	ZIP Code
------	---------	--------------	---------------	-----------------	--	------	-------	----------

Exempt Business Type (Fill if applicable)

☐ PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption

Excluded Business Types (Fill if applicable)

- ☐ PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)
☐ 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast
☐ 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises
☐ 14 CCR § 18420 (a) (5) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days
☐ 14 CCR § 18420 (a) (7) & (e) - Tire dealer storing no more than 1,500 waste tires for 90 days

Permitted Regulatory Status (Fill one)

- ☐ Permitted ☐ Exempt
☐ Excluded ☒ Unpermitted

Facility Type (Fill one)

- ☒ Major WTF (≥ 5,000 Tires)
☐ Minor WTF (500 - 4,999 Tires)

Part D - Inspection of Waste Tire Facility

WASTE TIRE STORAGE STANDARDS		WASTE TIRE STORAGE STANDARDS	
Permit Requirements		14 CCR § 17352 - Site Security	
<input checked="" type="radio"/>	<input type="radio"/> PRC § 42824 - Major Waste Tire Facility Permit	<input type="radio"/>	<input type="radio"/> (a) Signs <input type="radio"/> (b) Site Attendant <input type="radio"/> (c) Access
<input type="radio"/>	<input type="radio"/> PRC § 42834 - Minor Waste Tire Facility Permit	<input checked="" type="radio"/>	<input type="radio"/> 14 CCR § 17353(a) - Vector Control
<input type="radio"/>	<input type="radio"/> PRC § 42850(a) - Complies with Terms of Permit	<input type="radio"/>	<input type="radio"/> (1) Impermeable Barrier <input checked="" type="radio"/> (2) Approved Vector Plan
<input checked="" type="radio"/>	<input type="radio"/> 14 CCR § 18420(a) - Applicable for Permit	<input checked="" type="radio"/>	<input type="radio"/> 14 CCR § 17354 - Storage of Waste Tires Outdoors
<input checked="" type="radio"/>	<input type="radio"/> 14 CCR § 18423 - Filing Application for Permit	<input type="radio"/>	<input checked="" type="radio"/> (a) Storage Units
<input type="radio"/>	<input type="radio"/> 14 CCR § 18432 - Operations Plan	<input type="radio"/>	<input checked="" type="radio"/> (b) Fire Lanes
<input type="radio"/>	<input type="radio"/> 14 CCR § 18433 - Emergency Response Plan	<input type="radio"/>	<input type="radio"/> (c) Fire District Requirements
Recordkeeping Requirement		<input type="radio"/>	<input type="radio"/> (d) Drainage
<input type="radio"/>	<input type="radio"/> 14 CCR § 18447 - Records Available	<input type="radio"/>	<input type="radio"/> (e) Slope/Grade
<input checked="" type="radio"/>	<input type="radio"/> 14 CCR § 17351 - Fire Prevention Measures	<input type="radio"/>	<input type="radio"/> (f) Siting (New Facilities)
<input type="radio"/>	<input type="radio"/> (a) Communication Equipment <input checked="" type="radio"/> (c) Water Supply	<input type="radio"/>	<input checked="" type="radio"/> (g) Rim Removal
<input checked="" type="radio"/>	<input type="radio"/> (b) Fire Equipment <input type="radio"/> (d) Other Requirements	<input type="radio"/>	<input type="radio"/> (h) Protection from Pyrolytic Oil Runoff
		<input type="radio"/>	<input type="radio"/> 14 CCR § 17355 - Indoor Storage
		Facility Compliance with NFPA 231D-1989	

Comments

Since there are more than 500 waste tires on the site, the storage standards apply. Since there are over 5,000 waste tires, including passenger tire equivalents, the site must have a major waste tire facility permit. No permit application has been filed to obtain a major or a minor waste tire facility permit. There is no proof of an adequate water supply to provide 1000 gallons per minute for 3 hours. Not all of the required fire fighting equipment is on site, including the 10-foot pike pole and no 2.5 gallon water extinguisher and a command -

INSTRUCTIONS ON BACK

Correct ☐ Incorrect ☒

EXAMPLE 1 2 3

15386

White Copy: CWMB

Yellow Copy: Operator

Pink Copy: LEA





Waste Tire Survey & Inspection Report

State of California
CWMIS 103 (Rev 04/04)
California Integrated Waste Management Board

Comments Form page 1 of 2

WASTE TIRE SURVEY REQUIRED

BLUE OR BLACK INK PEN

Business Profile		Inspection Details	
TPID - Site Suffix:	1 6 4 3 6 6 6 - 0 1	Inspection Report Number:	I 1 - 1 1 6 8 8 3 5
		Inspection Number on the associated Survey form (Page 1)	

Comments

- cont. from page 1 - Jorge Helguera, whom did business as Letty's Tires and whom CalRecycle (formerly the CA Integrated Waste Management Board) took enforcement action against in the former or an Administrative Complaint, which was settled without a hearing. As a result of the Administrative Complaint against Mr. Helguera and Letty's (also did business as Pao's and Best Tire), Lunas Construction cleaned up over five customer accounts that were held by Letty's, as well as taking ownership of some of the vehicles that were owned by Letty's. Furthermore, some of the employees that worked for Letty's, et al. went to work for Lunas Construction.

CalRecycle staff conducted surveillance on a location in San Jacinto, CA that was suspected as a illegal storage location for tires collected by Letty's et al. During the surveillance of Feb 8 and March 8, 2011, CalRecycle staff found a vehicle registered to Lunas Construction clean-up parked at the San Jacinto location. That vehicle, license plate 9B96843 and decal # 11-06/04 was backed into an enclosure that had a large number of semi-truck tires stored during the Feb 8, 2011 surveillance. That same vehicle was parked at the San Jacinto, CA location outside of the enclosure during the March 8, 2011 surveillance. The vehicle had a long cargo trailer attached to it and there were significantly less tires in the enclosure at the time. A check of the Waste Tire Manifest System database indicates there has been no CTL activity associated with that location as of May 26, 2011.

The site is storing more than 499 waste tires without a permit. Therefore, the hauler, Lunas Construction, is hauling to an unauthorized location. A separate -

EXAMPLE 123

42408



White Copy: CWMIS

Yellow Copy: Operator

Pink Copy: LEA



Waste Tire Survey & Inspection Report

State of California
CWMB 123 (New 04/04)
California Integrated Waste Management Board

Comments Form Page 2 of 2

WASTE TIRE SURVEY & INSPECTION REPORT

BLUE OR BLACK INK PEN

Business Profile		Inspection Details	
TPID - Site Suffix:	1 6 4 3 6 6 0 - 0 1	Inspection Report Number:	I 1 - 1 1 6 8 8 3 5
		Inspection Number on the associated Survey form (Page 1)	

Comments

- CONT. FROM COMMENTS PAGE - ENFORCEMENT ACTIONS ONLY BE TAKEN AGAINST THE Hauler UNDER TPID NO. 1599574. A REVIEW OF RECORDS SHOWS THAT THE PICKUPS FROM THE FACILITY SHOW THE SAME WEIGHT AS THOSE AS THE DELIVERY TO A2159. THE Hauler WEIGHS THE LOAD AT A nearby scale AFTER removal FROM THE FACILITY. ADVISED OPERATOR THAT CTR FOR PICKUP SHOULD SHOW WHOLE TON COUNT OR CUBIC YARDS.

- CONT. FROM PAGE 2 - EXTENSIVE MATERIAL ON THE FORTIN. WASTE TIRES ARE STORED NEXT TO AND WITHIN 10 FEET OF THE perimeter fence or property boundary. WASTE TIRES ARE STORED next to and WITHIN 10 FEET OF PLANTABLE MATERIALS, INCLUDING WOOD AND TIRE INNER TUBES. SOME WASTE TIRES ARE STILL IN CONTACT. THERE IS NO approved LEACH CONTROL PLAN TO MINIMIZE THE STORAGE OF 500 OR MORE WASTE TIRES OUTSIDE.

NOTE: BROWN CTRs HAD THE DRIVER AS "Jorge H." THE OPERATOR INSISTED THAT IT WAS NOT Jorge Helguin DE Lott's TIRES, BUT RATHER HIS SON "Jorge Junior". STAFF TOOK PICTURES OF SOME OF THESE CTRs.

2) THE OPERATOR DEREGISTERED THE VEHICLE FROM A Y THE San JACINTO SITE OF THE FORMER Lott's TIRES.

3) THE Hauler TOLD STAFF HE WAS NOT GOING TO CONDUCT EDT MONITORING AND WOULD CONTINUE WITH THE CTR.

COPIES IN BOTH ENGLISH AND SPANISH WERE GIVEN FOR THE Hauler LOTS AND LESS AND THE FIELD GUIDE TO THE CTR, AS WELL AS THE PERMIT DOCUMENTS. A COPY OF THE USED VS WASTE TIRE DOCUMENTS WERE GIVEN, AS WELL AS THE STORAGE STANDARDS. THE RIGHTS AND RESPONSIBILITIES FORM WAS GIVEN IN BOTH ENGLISH AND SPANISH.

EXAMPLE 123

42408



White Copy: CWMB

Yellow Copy: Operator

Pink Copy: LEA

**Lunas Construction Clean-up, Inc
TPID Number 1643666
May 31, 2011 State Inspection
Photo Log**



Photo 1 of 49

Lunas Construction Clean-Up, Inc.

TPID No. 1643666

Photo Taken By: Vance Tracy of California Department of Resources, Recycling and Recovery (CalRecycle) on May 31, 2011

Description: Looking southwest at waste tires, including recappable casings, stockpiled on the ground of the facility. There were approx. 10, 217 waste tires being stored at the facility at the time of the inspection.

Inspection reference Number: 11-1168835.

Lunas Construction Clean-up, Inc
TPID Number 1643666
May 31, 2011 State Inspection
Photo Log



Photo 6 of 49

Lunas Construction Clean-Up, Inc.

TPID No. 1643666

Photo Taken By: Vance Tracy of California Department of Resources, Recycling and Recovery (CalRecycle) on May 31, 2011

Description: Looking north from the southwest corner of the site at waste tires piled on the ground
There were approx. 10, 217 waste tires being stored at the facility at the time of the inspection.

Inspection reference Number: I1-1168835.

Lunas Construction Clean-up, Inc
TPID Number 1643666
May 31, 2011 State Inspection
Photo Log



Photo 11 of 49

Lunas Constructruction Clean-Up, Inc.

TPID No. 1643666

Photo Taken By: Vance Tracy of California Department of Resources, Recycling and Recovery
(CalRecycle) on May 31, 2011

Description: Looking at a close-up of waste tires stored inside a parked trailer near the southeast corner of the site. There were approx. 1152 waste tires in the trailer. There were approx. 10, 217 waste tires being stored at the facility at the time of the inspection.

Inspection reference Number: I1-1168835.

Lunas Construction Clean-up, Inc
TPID Number 1643666
May 31, 2011 State Inspection
Photo Log



Photo 14 of 49

Lunas Constructruction Clean-Up, Inc.

TPID No. 1643666

Photo Taken By: Vance Tracy of California Department of Resources, Recycling and Recovery (CalRecycle) on May 31, 2011

Description: Same as photo 13 of this series. There were approx. 10, 217 waste tires being stored at the facility at the time of the inspection.

Inspection reference Number: I1-1168835.

Lunas Construction Clean-up, Inc
TPID Number 1643666
May 31, 2011 State Inspection
Photo Log



Photo 15 of 49

Lunas Constructruction Clean-Up, Inc.

TPID No. 1643666

Photo Taken By: Vance Tracy of California Department of Resources, Recycling and Recovery (CalRecycle) on May 31, 2011

Description: Looking north from inside the facility at waste tires stored in the processing area. There were approx. 10, 217 waste tires being stored at the facility at the time of the inspection.

Inspection reference Number: I1-1168835.

**Lunas Construction Clean-up, Inc
TPID Number 1643666
May 31, 2011 State Inspection
Photo Log**



Photo 19 of 49

Lunas Constructruction Clean-Up, Inc.

TPID No. 1643666

Photo Taken By: Vance Tracy of California Department of Resources, Recycling and Recovery (CalRecycle) on May 31, 2011

Description: Looking west, northwest at altered waste tires, including side-walls and treads, stockpiled on the ground of the facility. There were approx. 10, 217 waste tires being stored at the facility at the time of the inspection.

Inspection reference Number: I1-1168835.

Lunas Construction Clean-up, Inc
TPID Number 1643666
May 31, 2011 State Inspection
Photo Log



Photo 20 of 49

Lunas Constructruction Clean-Up, Inc.

TPID No. 1643666

Photo Taken By: Vance Tracy of California Department of Resources, Recycling and Recovery (CalRecycle) on May 31, 2011

Description: Looking at a close-up of altered waste tires, mostly treads, packed inside another. There were approx. 10, 217 waste tires being stored at the facility at the time of the inspection.

Inspection reference Number: I1-1168835.

Inspection Report Number
I1 - 1134771

State of California
CWB 121 (New 6/96)
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Part A - Survey

Business Profile

TPID -

Site Buffing

1 643666-0 1

Local

Identifiers

Business or Facility Name

LUNAS WASTE TIRE

Physical Address

23802 PINE ST

NEW HALL CA

91321

Business Box

TIME

DANNY

MR

Tire Count (Whole PTE)

2.66d

GPS Latitude

Longitude = _____

Business Type (Fill all that apply)

- ☐ New Tire Dealer ☐ Auto Repair ☐ Trucking Fleet ☐ Government ☐ Retreader ☐ Dismantler ☐ Tire Derived Fuel
☐ Used Tire Dealer ☐ Auto Body ☐ Car Dealer ☐ Collection ☐ Crumb Rubber
☐ Service Station ☒ Hauler ☐ Agriculture ☐ Shredder ☒ Other **TIRE RECYCLING**

Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

- PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
- PRC § 42953 - Contracts with Registered Waste Tire Haulers.
- PRC § 42958 - Registration/Decal in Vehicle
- 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
- 14 CCR § 18459.1 - Tire Program ID Number from CIWMB
- 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
- 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
- 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
- 14 CCR § 18481 - Manifest System Requirements for Waste Tire End-Use Facilities
- 14 CCR § 18482 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
- Other: \$

Comments

SEE PAGES 213 FOR COMMENTS

Inspection Form Included:

Comments: Include:

Business Plan in Brief

Ernest Newman

Interdisciplinary Significance

Phone Number

INSTRUCTIONS ON BACK

Y. J. Li

EXAMPLE 123

52081

White Code: CTW/MN

Yellow Card Operator

Pink Cove 1 Ed.

06-11-2018 9:41 AM H:\CHICKEN\T.M



Waste Tire Survey & Inspection Report

Inspection Form - Page 2

BLUE OR BLACK INK PEN

Part C - Facility Information

Business Profile	Inspection Details
TPID - Site Suffix: 1643666-01	Inspection Report Number: I 1 - 1134771 Inspection Number on the associated Survey form (Page 1)
SWIS Number: -	Photos Taken <input checked="" type="radio"/> Yes <input type="radio"/> No

Property Owner

Exempt Business Type (Fill if applicable)

☐ PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption

Excluded Business Types (Fill if applicable)

☐ PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)

☐ 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast

☐ 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises

☐ 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days

☐ 14 CCR § 18420 (a) (7) & (8) - Tire dealer storing no more than 1,500 waste tires for 90 days

Permitted Regulatory Status (Fill one)

☐ Permitted ☐ Exempt

☐ Excluded ☒ Unpermitted

Facility Type (Fill one)

☐ Major WTF (≥ 5,000 Tires)

☒ Minor WTF (500 - 4,999 Tires)

Part D - Inspection of Waste Tire Facility

Permit Requirements	<input type="radio"/> <input type="radio"/> 14 CCR § 17352 - Site Security
<input type="radio"/> <input type="radio"/> PRC § 42824 - Major Waste Tire Facility Permit	<input type="radio"/> (a) Signs <input type="radio"/> (b) Site Attendant <input type="radio"/> (c) Access
<input checked="" type="radio"/> <input type="radio"/> PRC § 42834 - Minor Waste Tire Facility Permit	<input type="radio"/> <input type="radio"/> 14 CCR § 17353(a) - Vector Control
<input type="radio"/> <input type="radio"/> PRC § 42850(a) - Complies with Terms of Permit	<input type="radio"/> (1) Impermeable Barrier <input type="radio"/> (2) Approved Vector Plan
<input checked="" type="radio"/> <input type="radio"/> 14 CCR § 18420(a) - Applicable for Permit	<input type="radio"/> <input type="radio"/> 14 CCR § 17354 - Storage of Waste Tires Outdoors
<input type="radio"/> <input type="radio"/> 14 CCR § 18423 - Filing Application for Permit	<input type="radio"/> (a) Storage Units
<input type="radio"/> <input type="radio"/> 14 CCR § 18432 - Operations Plan	<input type="radio"/> (b) Fire Lanes
<input type="radio"/> <input type="radio"/> 14 CCR § 18433 - Emergency Response Plan	<input type="radio"/> (c) Fire District Requirements
Recordkeeping Requirement	<input type="radio"/> (d) Drainage
<input type="radio"/> <input type="radio"/> 14 CCR § 18447 - Records Available	<input type="radio"/> (e) Slope/Grade
<input type="radio"/> <input type="radio"/> 14 CCR § 17351 - Fire Prevention Measures	<input type="radio"/> (f) Siting (New Facilities)
<input type="radio"/> (a) Communication Equipment <input type="radio"/> (c) Water Supply	<input type="radio"/> (g) Rim Removal
<input type="radio"/> (b) Fire Equipment <input type="radio"/> (d) Other Requirements	<input type="radio"/> (h) Protection from Pyrolytic Oil Runoff
	<input type="radio"/> <input type="radio"/> 14 CCR § 17355 - Indoor Storage
	Facility Compliance with NFPA 231D-1988

Comments RE-INSPECTION TO DETERMINE COMPLIANCE. PREVIOUS INSPECTION BY VANCE TRACY NOTED 10,200 W.TIRES AND VIOLATION FOR HAVING MAJOR WTF PERMIT. SPOKE W/ NOBERTO REGARDING PERMIT APPLICATION. PAPER WORK IS BEING DONE BUT HAS NOT BE SUBMITTED TO CAL RECYCLING. OPERATOR IS LOOKING AT GETTING MINOR + COLLECTION FACILITY PERMISSION

INSTRUCTIONS ON BACK

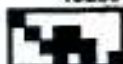
EXAMPLE 123

15386

White Copy: CIRM

Yellow Copy: Operator

Pink Copy: LEA



Waste Tire Survey & Inspection Report
State of California
CIVIL 183 (New 5406)
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Business Profile	Inspection Details
TPD - Site Suffix: 1.6.4.3666-01	Inspection Report Number: I 1-1134771 Inspection Number on the associated Survey form (Page 1)

Comments

INSPECTION THIS DATE SHOWED 2,660
ON GROUND BE ADVISED - OVER 500 TIRES
REQUIRES MINOR PERMIT. ALSO BEFORE
PERMIT IS ISSUED OPERATION MUST HAVE LESS
THAN 500 TIRES ON SITE.

EXAMPLE 12/8

12/8

State of California
CITIES 103 (New 04/04)
California Inland Water Management Board

Business Profile		Inspection Details	
TPID- Site Suffix:	1643666-01	Inspection Report Number:	I 1-4134771 Inspection Number on the associated Survey form (Page 1)

Comments

PINE ST

OFFICE

TRAIL GRS

TRAILERS

TRUCK
TIRES

1 60 100 80

15/11/11

102

150

Run P

Time

1-5	5-10	10-15	15-20	20-25	25-30	30-35	35-40	40-45	45-50	50-55	55-60	60-65	65-70	70-75	75-80	80-85	85-90	90-95	95-100
1-5	5-10	10-15	15-20	20-25	25-30	30-35	35-40	40-45	45-50	50-55	55-60	60-65	65-70	70-75	75-80	80-85	85-90	90-95	95-100

TRUCK TIPS

2/22/22

385

WASH
EW

200

424

E	X	A	M	P	L	E		1	2	3
---	---	---	---	---	---	---	--	---	---	---

42408



WHITE-CROWNED CORMORANT

Yellow Creek Computer

Pink Copy: LEA

Aug 31 2011 5:43PM HP LMS&JCI LNA



Facing south a view of stockpiled truck tires.

Lunas Waste Tire Recovery TPID#1643666-01 August 10, 2011

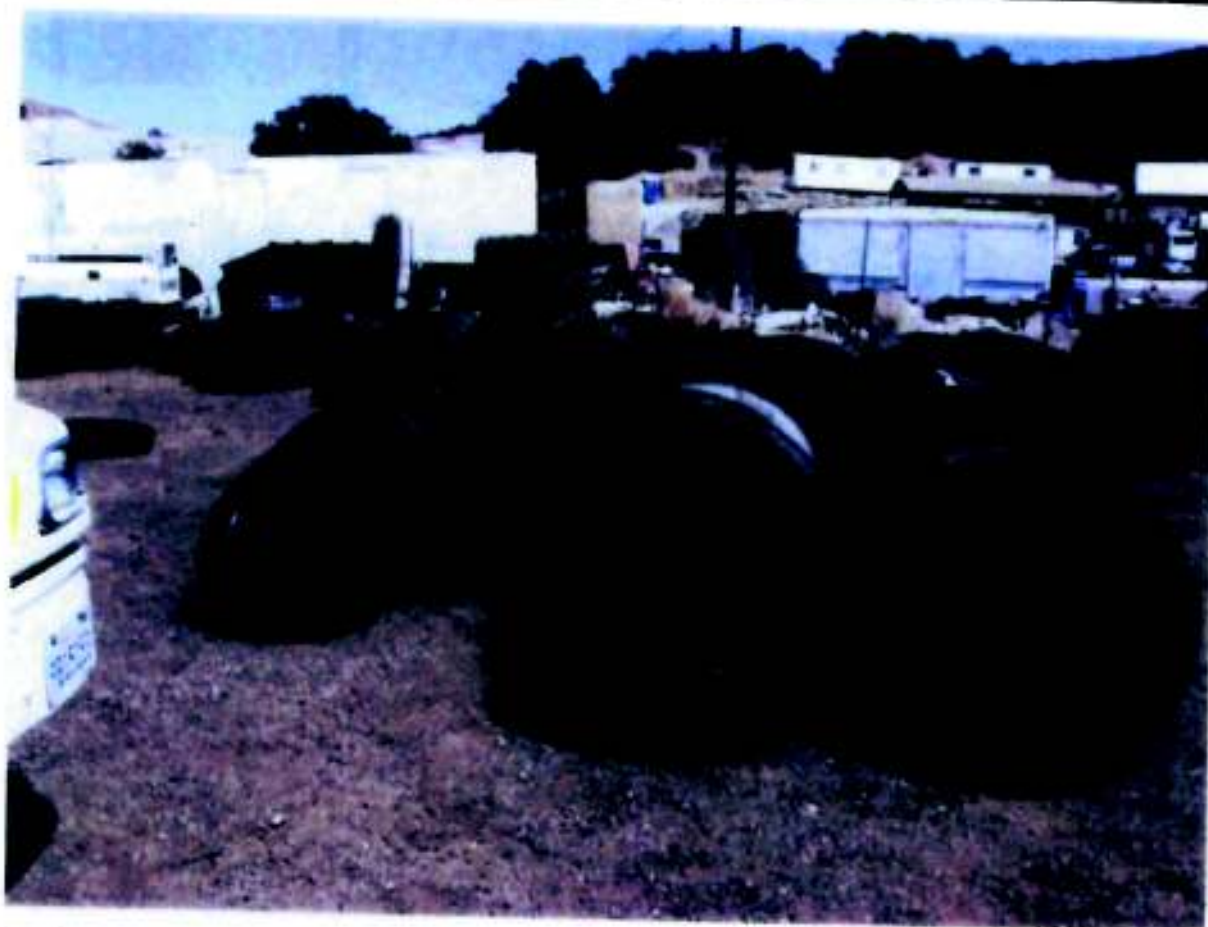


View to south-more stockpiled truck tires.



Continuation of truck tire storage area.

Lunas Waste Tire Recovery TPID#1643666-01 August 10, 2011



Facing east, more truck tires.

Lunas Waste Tire Recovery TPID#1643666-01 August 10, 2011



Facing northeast more truck tires.



Waste Tire Survey & Inspection Report

Inspection Form - Page 2

State of California
CWNBS 152 (Rev 04/04)
California Integrated Waste Management Board

SURVEY REQUIRED

BLUE OR BLACK INK PEN

Part C - Facility Information

Business Profile

TPID - Site Suffix: 1 6 4 3 6 6 6 - 0 1

SWIS Number: 1 9 - T F - 8 9 6 4

Inspection Details

Inspection Report Number:

I 1 - 1 2 2 8 5 6 9

Inspection Number on the associated Survey form (Page 1)

Photos Taken

☒ Yes

☐ No

Property Owner

Hank Arklin

(661) 857-3315

Exempt Business Type (Fill if applicable)

☐ PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption

Excluded Business Types (Fill if applicable)

☐ PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)

☐ 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast

☐ 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises

☐ 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days

☐ 14 CCR § 18420 (a) (7) & (8) - Tire dealer storing no more than 1,500 waste tires for 90 days

Permitted Regulatory Status (Fill one)

☐ Permitted

☐ Exempt

☐ Excluded

☒ Unpermitted

Facility Type (Fill one)

☐ Major WTF (≥ 5,000 Tires)

☒ Minor WTF (500 - 4,999 Tires)

Part D - Inspection of Waste Tire Facility

Permit Requirements		14 CCR § 17352 - Site Security	
<input type="radio"/>	PRC § 42824 - Major Waste Tire Facility Permit	<input type="radio"/>	(a) Signs
<input checked="" type="radio"/>	PRC § 42834 - Minor Waste Tire Facility Permit	<input checked="" type="radio"/>	(b) Site Attendant
<input type="radio"/>	PRC § 42850(a) - Complies with Terms of Permit	<input type="radio"/>	(c) Access
<input checked="" type="radio"/>	14 CCR § 18420(a) - Applicable for Permit	<input type="radio"/>	14 CCR § 17353(a) - Vector Control
<input type="radio"/>	14 CCR § 18423 - Filing Application for Permit	<input type="radio"/>	(1) Impermeable Barrier
<input type="radio"/>	14 CCR § 18432 - Operations Plan	<input type="radio"/>	(2) Approved Vector Plan
<input type="radio"/>	14 CCR § 18433 - Emergency Response Plan	<input checked="" type="radio"/>	14 CCR § 17354 - Storage of Waste Tires Outdoors
		<input type="radio"/>	(a) Storage Units
		<input type="radio"/>	(b) Fire Lanes
		<input type="radio"/>	(c) Fire District Requirements
		<input type="radio"/>	(d) Drainage
		<input type="radio"/>	(e) Slope/Grade
		<input type="radio"/>	(f) Siting (New Facilities)
		<input type="radio"/>	(g) Rim Removal
		<input type="radio"/>	(h) Protection from Pyrolytic Oil Runoff
Recordkeeping Requirement		<input type="radio"/>	14 CCR § 17356 - Indoor Storage
<input type="radio"/>	14 CCR § 18447 - Records Available	Facility Compliance with NFPA 231D-1989	
<input type="radio"/>	14 CCR § 17351 - Fire Prevention Measures		
<input type="radio"/>	(a) Communication Equipment	<input type="radio"/>	(c) Water Supply
<input type="radio"/>	(b) Fire Equipment	<input type="radio"/>	(d) Other Requirements

Comments

number of tires stored on site at the time of inspection therefore the approximate number of tires reported is 3600. observed facility staff cutting the side walls of the tires. operator stated they submitted an application in 2011 but does not know the status. operator is also a hauler with seven registered vehicles in 2012, errors/omissions were noted on CTRs; operator was instructed on how to complete CTRs. operator is hereby advised again that over 500 tires requires a Minor WTF Permit and before permit is issued operation must have less than 500 tires on site.

INSTRUCTIONS ON BACK

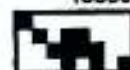
White Copy: CWNMB

Yellow Copy: Operator

Pink Copy: LEA

EXAMPLE 1 2 3

15386



DECLARATION OF SERVICE BY CERTIFIED MAIL

Case Name: In the Matter of: ARKLIN, HENRY AND LOUISE, ARKLIN FAMILY TRUST,
PROPERTY OWNER AND MANUEL MADRIGAL, LUNAS CONSTRUCTION CLEANUP, INC.,
AKA: LUNAS WASTE TIRE RECOVERY, INC., OPERATORS
TPID NO: 1643666, AGENCY NO: 2012-011009-CAO.

I declare:
I am employed by the Waste Evaluation and Enforcement Branch of the Compliance and
Enforcement Division of the Department of Resources Recycling & Recovery (CalRecycle). I
am 18 years of age or older and not a party to this matter. I am familiar with the business
practices of CalRecycle for collection and processing of correspondence for mailing with the
United States Postal Service. In accordance with that practice, correspondence placed in the
internal mail collection system at the Compliance and Enforcement Division of CalRecycle is
deposited with the United States Postal Service that same day in the ordinary course of
business. On March 23, 2012, I served the attached **CLEAN UP AND ABATEMENT ORDER**,
by placing a copy in a sealed envelope with certified mail delivery postage thereon to be fully
prepaid, in the internal mail collection system at the CalRecycle, addressed as follows:

ARKLIN, HENRY AND LOUISE, ARKLIN FAMILY TRUST, (Property Owner)
26000 Springbrook Avenue, #215
Saugus, CA 91350
Certified Mail Tracking Number
7004 1160 0002 0466 1000

MANUEL MADRIGAL, Agent for Service of Process for
LUNAS WASTE TIRE RECOVERY, INC.,
AKA LUNAS CONSTRUCTION CLEANUP, INC. (Operator)
23802 Pine Street, Lot # 2
Newhall, CA 91321
Certified Mail Tracking Number
7004 1160 0002 0466 1017

I declare under penalty of perjury under the laws of the State of California that the foregoing is
true and correct.

Executed on the 23rd day of March, 2012 at Sacramento, California.


Stephen Petty
Declarant